

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

**ANITA LOPEZ and MARICELA
VILLALPANDO,**

Plaintiffs,

vs.

**ARAMARK UNIFORM & CAREER
APPAREL, INC., a Delaware
corporation,**

Defendant.

**Nos. C 03-4015-MWB
C 03-4030-MWB**

VERDICT FORM

I. ANITA LOPEZ

On the claims of plaintiff Anita Lopez, we, the Jury, find as follows:

HOSTILE ENVIRONMENT SEXUAL HARASSMENT		
Step 1: Harassment	Has plaintiff Anita Lopez proved the five elements of her claim of hostile environment sexual harassment, as explained in Final Jury Instruction No. 3? <i>(If your answer is "no," do not consider Step 2 or Step 3 for this claim; instead, enter a verdict on this claim in favor of ARAMARK in Step 4, then go on to consider your verdict on Ms. Lopez's other claim. However, if your answer is "yes," please go on to Step 2 for this claim.)</i>	<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
Step 2: Tangible Employment Action	If you answered "yes" to the question in Step 1, do you find that the hostile environment sexual harassment resulted in a "tangible employment action," as "tangible employment action" is defined in Final Jury Instruction No. 3? <i>(If you answered "no," then you must consider ARAMARK's affirmative defense in Step 3. However, if you answered "yes," then do not consider ARAMARK's affirmative defense in Step 3; instead, enter a verdict in favor of Ms. Lopez in Step 4, and go on to consider damages on this claim in Steps 5 and 6.)</i>	<input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No
Step 3: Affirmative defense	If you answered "no" to the question in Step 2, do you find that ARAMARK has proved the affirmative defense explained in Final Jury Instruction No. 3? <i>(If your answer is "yes," you must enter a verdict in favor of ARAMARK in Step 4. However, if your answer is "no," you must enter a verdict in favor of Ms. Lopez in Step 4.)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Step 4: Verdict	Do you find in favor of plaintiff Lopez or defendant ARAMARK on plaintiff Lopez's claim of hostile environment sexual harassment? <i>(If you find in favor of defendant ARAMARK, do not consider any further Steps for this claim; instead, go on to consider your verdict on Ms. Lopez's other claim. However, if you find in favor of plaintiff Lopez, go on to consider damages in Steps 5 and 6.)</i>		
	<table border="1"> <tr> <td data-bbox="414 598 885 619">Plaintiff Lopez</td><td data-bbox="885 598 1364 619">Defendant ARAMARK</td></tr> </table>	Plaintiff Lopez	Defendant ARAMARK
Plaintiff Lopez	Defendant ARAMARK		
Step 5: Emotional Distress Damages	<p>What amount, if any, do you award for emotional distress damages on this claim, as such damages are explained in Final Jury Instruction No. 7?</p> <p>\$ <u>30,000.00</u> for past emotional distress</p> <p>\$ <u>0</u> for future emotional distress</p>		
Step 6: Punitive Damages	<p>What amount, if any, do you award for punitive damages on this claim, as punitive damages are explained in Final Jury Instruction No. 8?</p> <p>\$ <u>250,000.00</u> for punitive damages</p>		

RETALIATION			
Step 1: Verdict	Do you find in favor of plaintiff Lopez or defendant ARAMARK on plaintiff Lopez's claim of retaliation, as that claim is explained in Final Jury Instruction No. 4? <i>(If you find in favor of defendant ARAMARK, do not consider any further Steps for this claim; instead, go on to consider your verdict on plaintiff Villalpando's claims. However, if you find in favor of plaintiff Lopez, go on to consider damages in Steps 2 and 3.)</i>		
	<table border="1"> <tr> <td>Plaintiff Lopez</td> <td>Defendant ARAMARK</td> </tr> </table>	Plaintiff Lopez	Defendant ARAMARK
Plaintiff Lopez	Defendant ARAMARK		
Step 2: Emotional Distress Damages	<p>What amount, if any, do you award for emotional distress damages on this claim, as such damages are explained in Final Jury Instruction No. 7?</p> <p>\$ <u>5,000.00</u> for past emotional distress</p> <p>\$ <u>0</u> for future emotional distress</p>		
Step 3: Punitive Damages	<p>What amount, if any, do you award for punitive damages on this claim, as punitive damages are explained in Final Jury Instruction No. 8?</p> <p>\$ <u>10,000.00</u> for punitive damages</p>		

Date: 11/7/05Time: 2:01 pm

I. MARICELA VILLALPANDO

On the claims of plaintiff Maricela Villalpando, we, the Jury, find as follows:

HOSTILE ENVIRONMENT SEXUAL HARASSMENT		
Step 1: Harassment	Has plaintiff Maricela Villalpando proved the five elements of her claim of hostile environment sexual harassment, as explained in Final Jury Instruction No. 3? <i>(If your answer is "no," do not consider Step 2 or Step 3 for this claim; instead, enter a verdict on this claim in favor of ARAMARK in Step 4, then go on to consider your verdict on Ms. Villalpando's other claim. However, if your answer is "yes," please go on to Step 2 for this claim.)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Step 2: Tangible Employment Action	If you answered "yes" to the question in Step 1, do you find that the hostile environment sexual harassment resulted in a "tangible employment action," as "tangible employment action" is defined in Final Jury Instruction No. 3? <i>(If you answered "no," then you must consider ARAMARK's affirmative defense in Step 3. However, if you answered "yes," then do not consider ARAMARK's affirmative defense in Step 3; instead, enter a verdict in favor of Ms. Villalpando in Step 4, and go on to consider damages on this claim in Steps 5 and 6.)</i>	
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Step 3: Affirmative defense	If you answered "no" to the question in Step 2, do you find that ARAMARK has proved the affirmative defense explained in Final Jury Instruction No. 3? <i>(If your answer is "yes," you must enter a verdict in favor of ARAMARK in Step 4. However, if your answer is "no," you must enter a verdict in favor of Ms. Villalpando in Step 4.)</i>	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Step 4: Verdict	Do you find in favor of plaintiff Villalpando or defendant ARAMARK on plaintiff Villalpando's claim of hostile environment sexual harassment? <i>(If you find in favor of defendant ARAMARK, do not consider any further Steps for this claim; instead, go on to consider your verdict on Ms. Villalpando's other claim. However, if you find in favor of plaintiff Villalpando, go on to consider damages in Steps 5, 6, and 7.)</i>	
	Plaintiff Villalpando	Defendant ARAMARK
Step 5: Emotional Distress Damages	What amount, if any, do you award for emotional distress damages on this claim, as such damages are explained in Final Jury Instruction No. 7?	
	\$ <u>30,000.</u> ⁰⁰ for past emotional distress	
	\$ <u>0</u> for future emotional distress	
Step 6: Backpay	What amount, if any, do you award for backpay damages on this claim, as such damages are explained in Final Jury Instruction No. 7?	
	\$ <u>10,000.</u> ⁰⁰ for backpay	
Step 7: Punitive Damages	What amount, if any, do you award for punitive damages on this claim, as punitive damages are explained in Final Jury Instruction No. 8?	
	\$ <u>250,000.</u> ⁰⁰ for punitive damages	

RETALIATION		
Step 1: Verdict	Do you find in favor of plaintiff Villalpando or defendant ARAMARK on plaintiff Villalpando's claim of retaliation, as that claim is explained in Final Jury Instruction No. 4? <i>(If you find in favor of defendant ARAMARK, do not consider any further Steps for this claim; instead, notify the Court Security Officer that you have reached a verdict. However, if you find in favor of plaintiff Villalpando, go on to consider the questions in Steps 2 through 5.)</i>	
	Plaintiff Villalpando	Defendant ARAMARK
Step 2: Constructive Discharge	Do you find that Ms. Villalpando was constructively discharged by retaliation, as constructive discharge is explained in Final Jury Instruction No. 5? <i>(Remember that you cannot award damages for backpay in Step 4, unless you answer "yes" to this question.)</i>	
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Step 3: Emotional Distress Damages	What amount, if any, do you award for emotional distress damages on this claim, as such damages are explained in Final Jury Instruction No. 7?	
	\$ <u>5,000.00</u> for past emotional distress	
	\$ <u>0</u> for future emotional distress	
Step 4: Backpay	If you found that plaintiff Villalpando was constructively discharged in Step 2, what amount, if any, do you award for backpay damages on this claim, as such damages are explained in Final Jury Instruction No. 7?	
	\$ <u>0</u> for backpay	
Step 5: Punitive Damages	What amount, if any, do you award for punitive damages on this claim, as punitive damages are explained in Final Jury Instruction No. 8?	
	\$ <u>10,000.00</u> for punitive damages	

Date: 11/7/05 Time: 1:20 pm

JUROR